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# A BILL FOR AN ACT

RELATING TO THE KAKAAKO COMMUNITY DEVELOPMENT DISTRICT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 206E, Hawaii Revised Statutes, is  
2 amended by adding four new sections to part II to be  
3 appropriately designated and to read as follows:

4           "§206E-        Minimum proximity between tower buildings.

5           There shall be a minimum of three hundred feet between buildings  
6 that are one hundred feet or higher in height.

7           §206E-        Project eligibility review of infrastructure.

8           (a) The executive director of the authority shall require,  
9 prior to receipt of any application for a development permit, a  
10 project eligibility review of the development project. No  
11 development application for a permit shall be considered until  
12 the project eligibility review has been completed. Developments  
13 shall not be approved unless adequate infrastructure facilities  
14 are or will be made available to service the proposed  
15 development prior to occupancy. The executive director shall  
16 obtain approval from applicable governmental agencies regarding  
17 the adequacy of infrastructure requirements.



1        (b) Any applicant seeking a development permit shall  
2 contact any relevant county and state agencies to determine  
3 infrastructure needs of the development project and solicit the  
4 agencies' findings and recommendations.

5        §206E-    **Height.** No portion of any building or other  
6 structure, except for the portion of the building or structure  
7 that consists of a machine room, rooftop utility, or  
8 architectural feature, shall exceed four hundred feet in height.

9        §206E-    **Mauka-makai axes for tower buildings.** Any  
10 building that is at least one hundred feet in height shall be  
11 oriented on a mauka-makai axis."

12        SECTION 2. Section 206E-31.5, Hawaii Revised Statutes, is  
13 amended to read as follows:

14        "~~[+]§206E-31.5[+]~~ **Prohibitions.** Anything contained in  
15 this chapter to the contrary notwithstanding, the authority is  
16 prohibited from:

17        (1) Selling or otherwise assigning the fee simple interest  
18            in any lands in the Kakaako community development  
19            district to which the authority in its corporate  
20            capacity holds title, except with respect to:

- 21            (A) Utility easements;
- 22            (B) Remnants as defined in section 171-52;



- 1 (C) Grants to any state or county department or  
2 agency; or
- 3 (D) Private entities for purposes of any easement,  
4 roadway, or infrastructure improvements; [~~or~~]
- 5 (2) Approving any plan or proposal for any residential  
6 development in that portion of the Kakaako community  
7 development district makai of Ala Moana boulevard and  
8 between Kewalo [~~Basin~~] basin and the foreign trade  
9 zone~~[+]~~; and
- 10 (3) Granting any variance, exemption, or modification to  
11 any provision of any rule or development plan relating  
12 to maximum floor area ratio."

13 SECTION 3. This Act does not affect rights and duties that  
14 matured, penalties that were incurred, and proceedings that were  
15 begun before its effective date.

16 SECTION 4. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Kakaako Community Development District; Prohibitions

**Description:**

Amends Hawaii Community Development Authority statute to establish building restrictions and prohibitions for the Kakaako community development district. Takes effect 7/1/2050. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

